

*City of Las Vegas***AGENDA MEMO****CITY COUNCIL MEETING DATE: JANUARY 17, 2007****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: ABEYANCE - ZON-16519 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: SCHNIPPLE FAMILY TRUST**

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***THIS ITEM WAS HELD IN ABEYANCE FROM THE DECEMBER 20, 2006 CITY COUNCIL MEETING AT THE REQUEST OF THE APPLICANT.***

**\*\* CONDITIONS \*\***

The Planning Commission (6-1/ds vote) and staff recommend DENIAL.

**Planning and Development**

1. A General Plan Amendment (GPA-16511) to a Medium-Low Attached Density Residential Land Use Designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.
3. A Site Development Plan Review (SDR-16522) application approved by the City of Las Vegas is required prior to issuance of any permits, any site grading, and all development activity for the site.

**Public Works**

4. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes and additional right-of-way for a bus turnout on Smoke Ranch Road unless otherwise allowed by the City Traffic Engineer.
5. Construct all incomplete half-street improvements on Smoke Ranch Road and Decatur Boulevard adjacent to this site concurrent with development of this site.
6. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

## \*\* STAFF REPORT \*\*

### PROJECT DESCRIPTION

This is a request for a Rezoning from R-1 (Single-Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone to R-PD12 (Residential Planned Development - 12 Units Per Acre).

The proposed rezoning is not considered appropriate for this location. The lot sizes and density that would be permitted by the proposed rezoning are not compatible with surrounding development. The project calls for lots that are approximately half the size of the smallest adjacent lots. While the single-family use is considered appropriate for this location, a design that features lots more comparable to the adjacent development and that meets open space requirements is sought. Due to these factors, denial of this request is recommended.

### BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
04/28/05	The Planning Commission tabled at the request of the applicant an application for a Rezoning (ZON-5669) from R-1 (Single-Family Residential) to C-1 (Limited Commercial) on the subject property. Staff recommended approval.
11/16/05	The City Council approved a General Plan Amendment (GPA-7678) from SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); a Waiver (WVR-9060) of Title 18.12.160 to allow 88 feet between street intersections where 220 feet is the minimum separation required; a Site Development Plan Review (SDR-9061) for a 50-lot, single-family residential development; and a Rezoning (ZON-9058) from R-1 (Single Family Residential) to R-PD8 (Residential Planned Development - 8 Units per Acre). The Planning Commission and staff recommended approval.
12/01/05	The Planning Commission Approved a Tentative Map (TMP-9764) for a 50-lot, single-family residential subdivision. Staff recommended approval.
11/16/06	The Planning Commission recommended denial of companion items GPA-16511, VAR-16525 and SDR-16522 concurrently with this application.
11/16/06	The Planning Commission voted 6-1/ds to recommend DENIAL (PC Agenda Item #8/ng)..

<b><i>Related Building Permits/Business Licenses</i></b>	
There are no building permits or business licenses related to this application.	
<b><i>Pre-Application Meeting</i></b>	
08/14/06	A pre-application meeting was held and the following items were noted. A bus turnout and drainage study is required. The General Plan change was discussed. A knuckle deviation would be necessary. The homes would be sprinkled.

<b><i>Neighborhood Meeting</i></b>	
09/26/06	A neighborhood meeting was held at Brinley Middle School, 2480 Maverick Street, Las Vegas, Nevada. In attendance were the applicant, one staff member, and one member of the public. Concerns regarding the density of the project, lack of open space, and an increase in traffic were discussed.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Gross Acres	6.19
Net Acres	5.33

<b>Surrounding Property</b>	<b>Existing Land Use</b>	<b>Planned Land Use</b>	<b>Existing Zoning</b>
Subject Property	Undeveloped	ML (Medium-Low Density Residential)	R-1 (Single Family Residential) Zone under Resolution of Intent to R-PD8 (Residential Planned Development, 8 Units Per Acre) Zone
North	Storage	LI/R (Light Industry/Research)	C-M (Commercial/Industrial)
South	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
East	Single-Family Residential	ML (Medium-Low Density Residential)	R-CL (Single-Family Compact-Lot)
West	Convenience Store  Single-Family Residential	SC (Service Commercial)	C-1 (Limited Commercial)  R-E (Residence Estates)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>	X		
A-O Airport Overlay District	X		Y
<b>Trails</b>		X	Y
<b>Rural Preservation Overlay District</b>		X	Y
<b>Development Impact Notification Assessment</b>		X	Y
<b>Project of Regional Significance</b>		X	Y

**DEVELOPMENT STANDARDS**

*Per Title 19.06 the following Development Standards apply:*

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	N/A	1,468 SF	Y
Min. Lot Width	N/A	31 Feet	Y
Min. Setbacks			
• Front	N/A	3 Feet	Y
		5 Feet or 18 Feet (Garage)	Y
• Side	N/A	3 Feet	Y
• Corner	N/A	4 Feet	Y
• Rear	N/A	3 Feet	Y
Min. Distance Between Buildings	N/A	6 Feet	Y
Max. Building Height	N/A	3 Stories/35 Feet	Y

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>	<i>Proposed Zoning</i>	<i>Permitted Density</i>	<i>General Plan</i>	<i>Permitted Density</i>
R-1 (Single-Family Residential) under Resolution of Intent to R-PD8 (Residential Planned Development - 8 Units Per Acre)	8.49 Units Per Acre	52 Units under the R-PD8 Designation	R-PD12 (Residential Planned Development - 12 Units Per Acre)	12.49 Units per Acre	MLA (Medium-Low Attached Density Residential)	12.49 Units Per Acre  77 Units under the R-PD12 (Residential Planned Development - 12 Units Per Acre) Designation

*Per Title 19.12 the following Landscape Standards apply:*

<b><i>Landscaping and Open Space Standards</i></b>				
<b><i>Standards</i></b>	<b><i>Required</i></b>		<b><i>Provided</i></b>	<b><i>Compliance</i></b>
	<b><i>Ratio</i></b>	<b><i>Trees</i></b>		
Buffer: Min. Trees	1 Tree/30 Linear Feet	69 Trees	96 Trees	Y
Min. Zone Width	6 Feet		6 Feet	Y
Wall Height	6 Feet		6 Feet	Y

<b><i>Open Space</i></b>							
<b><i>Total Acreage</i></b>	<b><i>Density</i></b>	<b><i>Required</i></b>			<b><i>Provided</i></b>		<b><i>Compliance</i></b>
		<b><i>Ratio</i></b>	<b><i>Percent</i></b>	<b><i>Area</i></b>	<b><i>Percent</i></b>	<b><i>Area</i></b>	
6.19 Acres	12.44	1.65	20.53	1.27 Acres or 55,321 SF	12.28	0.76 Acres or 33,226 SF	N

## ANALYSIS

The proposed Rezoning to an R-PD12 (Residential Planned Development – 12 Units Per Acre) District is not considered appropriate for the area. The site was previously approved for an R-PD8 (Residential Planned Development – 8 Units Per Acre) zone; however, that proposal met open space requirements and included larger lot sizes that were more compatible with adjacent development. The current proposal calls for lot sizes that are less than half the size of the smallest adjacent lots and fails to meet open space requirements, which is covered in Variance (VAR-16525). The R-PD12 (Residential Planned Development – 12 Units Per Acre) District is considered too intense for this location and denial of this request is recommended.

## FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

### 1. “The proposal conforms to the General Plan.”

This proposal requires a General Plan Amendment (GPA-16511) to a Medium-Low Attached Density (MLA) land-use designation. The requested General Plan Amendment to an MLA land-use designation is considered inappropriate for this location as the proposed development contains lot sizes that are less than half the size of the smallest adjacent lots and lacks the required amount of open space. Denial of the General Plan Amendment is recommended.

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The single-family use is considered appropriate for the site; however, due to the small lot sizes and increased density this proposal is not compatible with surrounding development. A single-family development with a lower density and larger lots that meets Title 19 requirements would be more appropriate for this location.

3. **“Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”**

Growth and development factors in the community do not indicate the need for this rezoning. The property is currently under Resolution of Intent to an R-PD8 (Residential Planned Development – 8 Units Per Acre) District. This is considered an appropriate threshold for density on this site as these lot sizes are more compatible with adjacent development.

4. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”**

The site gains access from Smoke Ranch Road a 100-foot Primary Arterial. A crash gate is provided from Decatur Boulevard. Smoke Ranch Road will provide adequate access to and from the subject property.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 7

**SENATE DISTRICT** 4

**NOTICES MAILED** 349 by Planning Department

**APPROVALS** 0

**PROTESTS** 0